

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION**

United States of America,

Plaintiff,

vs.

Burdon Fabron Lester,

Defendant.

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ORDER

Case No. 1:13-cr-022

On February 12, 2013, the Grand Jury returned an indictment charging defendant with offense of assault with a dangerous weapon. At the Government's request, an arrest warrant for defendant was issued.

Defendant is presently in the Attorney General's custody; he was ordered detained in pending a final hearing scheduled for February 20, 2013, on a petition for revocation of supervised release filed in Case No. 1:07-cr-048. See United States v. Lester, Case No. 1:07-cr-048, Docket Nos. 59, 60, and 62.¹ Accordingly, the court **ORDERS** that the arrest warrant issued in this case be **QUASHED**.

Defendant is committed to the custody of the Attorney General or his designated representative for confinement in a corrections facility with the understanding that defendant reserves his right to a detention hearing upon final disposition of the matter pending in Case No. 1:07-cr-048. Defendant shall be afforded a reasonable opportunity for private consultations with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Defendant to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

Dated this 14th day of February, 2013.

/s/ Charles S. Miller, Jr.
Charles S. Miller, Jr., Magistrate Judge
United States District Court

¹Defendant executed and filed a waiver of his right to a preliminary hearing and detention hearing pending a final hearing on the petition in Case No 1:07-cr-048.